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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,200	10/06/2005	Mark Alan Gibson	FA1159- US PCT	8425

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Legal Patents
Wilmington, DE 19898

EXAMINER

STOCK JR, GORDON J

ART UNIT	PAPER NUMBER
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2877

MAIL DATE	DELIVERY MODE
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10/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,200

Applicant(s)

GIBSON ET AL.

Examiner

Gordon J. Stock

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2007 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2877

DETAILED ACTION

1. The Amendment received on July, 18, 2007 has been entered into the record.

Drawings and Specification

2. The drawings and specification are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: '8.' Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 16-17** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As for claim 16, 'said computer readable program code means of claim 1' lacks antecedent basis. In addition, it is unclear how one statutory class, an article of manufacture

Art Unit: 2877

such as a storage medium, may comprise another statutory class of invention, a process such as the method of claim 1. **Claim 17** is rejected for depending from a rejected base claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 20, 21, and 23** are rejected under 35 U.S.C. 102(b) as being anticipated by **Cheetam (US 5,668,633)—previously cited.**

As for **claims 20, 21, and 23**, Cheetam in a method and system for formulating a color match discloses the following: measuring reflectances of a target portion of a target portion, standard, of a target substrate at a set of preset wavelengths with a spectrophotometer of a coating characterizing device to plot a target spectral curve of said target portion (col. 3, lines 15-30; col. 4, lines 25-40 and lines 55-65); calculating target color values of said target portion from said target spectral curve of said target portion (col. 4, lines 1-15); selecting one or more preliminary colorant combinations from a stored list of known colorants in accordance with a combinatorial selection criteria to match with said target color values (col. 4, lines 60-67; col. 5, lines 1-15); determining concentrations of each said known colorant in each of said preliminary colorant combinations in accordance with color matching criteria to generate one or more intermediate colorant combinations of said known colorants wherein each of said intermediate colorant combinations is optimized for optimal color match with said target color values (col. 5, lines 20-40); balancing said intermediate colorant combinations to allow for the presence of non-

Art Unit: 2877

colorant compounds in said matched coating composition to generate one or more viable combinations of said known colorants, wherein each of said viable combinations is optimized in accordance with mixing and regulatory practices developed for said specified end-use (col. 5, lines 45-67; col. 6, lines 1-20 with loadings demonstrating noncolorants for different pigments and hues are derived from particular dilution of colorants); selecting an optimal viable combination from said viable combinations in accordance with an acceptability equation for said specified end-use, said optimal viable combination having an optimal acceptability value for said specified end-use wherein components in said optimal viable combination when mixed produce said matched resin that when formed as a matched substrate visually matches the appearance of said target substrate (col. 6, lines 1-25); mixing said components in said optimal viable combination with a resin to produce said matched resin; and processing said matched resin into said matched substrate (col. 5, lines 35-45 with col. 6, lines 1-20); a matched resin is produced (col. 5, lines 35-45).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

Art Unit: 2877

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. **Claims 1, 3-7 and 10-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Falcoff (US 4,403,866)-previously cited** in view of **Mestha et al. (6,052,195)** and **Wyman et al. (4,813,000)**.

As for **claims 1 and 11**, Falcoff in a color matching method and system discloses the following: measuring reflectances of a target portion of a target coating at a set of preset wavelengths with a spectrophotometer of a coating characterizing device to plot a target spectral curve of said target portion (col. 3, lines 5-30 with tristimulus values demonstrating reflectances measured; col. 4, lines 50-65); calculating target color values of said target portion from said target spectral curve of said target portion (col. 3, lines 5-30; col. 4, lines 50-67); selecting one or more preliminary colorant combinations from a stored list of known colorants in accordance with a combinatorial selection criteria to match with said target color values and determining concentration of each said known colorant in each of said preliminary colorant combination in accordance with color matching criteria wherein said concentration of each said known colorant is optimized for optimal match of color values of each of said preliminary colorant combinations with said target color values and balancing said preliminary colorant combinations to allow for the presence of non-colorant components in said matched coating composition to generate one or more viable combinations optimized in accordance with mixing and regulatory criteria developed for said specified end-use and selecting an optimal viable combination from said viable combinations in accordance with an acceptability equation for said specified end-use, said

Art Unit: 2877

optimal viable combination having an optimal acceptability value for said specified end-use wherein said known colorants and non-colorant components when mixed in accordance with said optimal viable combination produce said matched coating composition that when applied as a matched coating visually matches the appearance of said target coating (col. 5, lines 1-35 and lines 55-67); the device comprises computer with spectrophotometer (Fig. 1: 1 and 19). As for having computer usable storage medium with code, Falcoff does not explicitly state this, but mentions a computer (Fig. 1: 1). However, Mestha in a colorant mixing apparatus teaches the use of computational algorithms (col. 8, lines 54-57) and Wyman in a computerized color matching system teaches the use of computer programming with software (col. 5, lines 45-50; col. 1, lines 55-60). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have computer usable storage medium with code that performs the particular method steps as mentioned in claim 1 in order to have the computer perform the particular coating matching process.

As for a displaying on a screen of a monitor said optimal viable combinations, Falcoff suggests this (Fig. 1: 1; suggested by display of information: col. 6, lines 20-36 and 45-50). Nevertheless, Mestha in a coloring mixing method teaches displaying information (col. 1, lines 30-35). And Wyman in a computerized color matching system teaches using a display of information (col. 5, lines 30-40). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have a display in order for viewing by the user.

As for **claim 12**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 11**). As for a displaying on a screen of a monitor said optimal viable combinations, Falcoff suggests this (Fig. 1: 1; suggested by display of information: col. 6, lines 20-36 and 45-

Art Unit: 2877

50). Nevertheless, Mestha in a coloring mixing method teaches displaying information (col. 1, lines 30-35). And Wyman in a computerized color matching system teaches using a display of information (col. 5, lines 30-40). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have a display in order for viewing by the user.

As for **claims 3 and 13**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claims 1 and 11**). In addition, Falcoff discloses mixing said components of said optimal viable combination to produce said matched coating composition; wherein, a signal is generated to dispense said components for making a desired amount of said matched coating composition; a dispenser; generating a signal upon completion of making said desired amount of said matched coating composition and to stop dispensing into mixing vessel (Fig. 1: formula input with electrical coupling of computer to 7-12 and P1-P6; col. 5, lines 1-27).

As for **claim 4**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 1**). In addition, Falcoff discloses applying said matched coating composition over a substrate to produce said coating that visually matches the appearance of said target coating (col. 8, lines 20-30).

As for **claim 5**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 4**). In addition, Falcoff discloses the substrate is an automotive body (col. 5, lines 44-46).

As for **claim 6**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 1**). In addition, Falcoff discloses refinish automotive paint (col. 5, lines 50-55).

As for **claim 7**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 1**). In addition, Falcoff discloses combinations of a plurality of colorants (Fig. 1: 10-12) and that there may be 5 paint formulas (col. 5, lines 65-67).

As for **claim 10**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 1**). In addition, Falcoff discloses a matched coating composition (col. 7, lines 64-67; col. 8, lines 1-25). Also as for 'produced by the method of claim 1' even though product-by-process claims are limited by and defined by a process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." *In re Thorpe*, 777 F. 2d 695,698, 227 USPQ 964,966 (Fed. Cir. 1985).

10. **Claims 8, 9, 15, 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Falcoff (US 4,403,866)**-previously cited in view of **Mestha et al. (6,052,195)** and **Wyman et al. (4,813,000)** further in view of **Corrigan (US 6,522,977)**-previously cited and **Kettler (US 5,929,998)**-previously cited and **Steenhoek (US 4,917,495)**-previously cited.

As for **claims 8, 9, 15, and 18** Falcoff in view of Mestha and Wyman discloses everything as above (see **claims 1 and 11**). Falcoff is silent about using multiple angles with neither his spectrophotometer nor the transportability of the device. However, Corrigan, Kettler, and Steenhoek all teach that color measurements are made at multiple angles with aspecular angles and that their systems are portable (Corrigan: column 6, lines 24-60; Kettler: column 5, lines 10-35; Steenhoek: Figure 1 and column 5, lines 30-60). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have the method and device provide multiple aspecular angles of measurement in order to derive color measurements from reflectance values, for colorimetric values are obtained by a plurality of angles of measurement. In addition, it would be obvious to one of ordinary skill in the art at the time the invention was

Art Unit: 2877

made to have the system be portable in order to facilitate quick measurements on a variety of test surfaces such as horizontal and vertical surfaces on automobile bodies.

11. **Claims 16-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Falcoff (US 4,403,866)**-previously cited in view of **Mestha et al. (6,052,195)** and **Wyman et al. (4,813,000)** further in view of **Corrigan (US 6,522,977)**-previously cited.

As for **claims 16-17**, Falcoff in view of Mestha and Wyman discloses **claim 1** (see above) and Falcoff discloses a computer (column 5, lines 65-67). Falcoff is silent concerning portable computer storage medium such as CD-ROM. However, Corrigan in a color matching device teaches the use of several portable storage media such as CD-ROM, DVD ROM magnetic tape (col. 6, lines 55-60). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have the system comprise portable computer usable storage medium such as CD-ROM in order to temporarily or permanently record data in order for it to be read later.

12. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Falcoff (US 4,403,866)**-previously cited in view of **Mestha et al. (6,052,195)** and **Wyman et al. (4,813,000)** further in view of **Milosevic (US 4,853,542)**-previously cited.

As for **claim 19**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claim 11**). Falcoff is silent concerning a spherical spectrophotometer. However, Milosevic teaches in a spectrophotometer having a spherical configuration to increase signal to noise (column 1, lines 65-67; column 2, lines 1-20). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have the spectrophotometer be spherical in order to increase the signal to noise ratio of the system.

13. **Claims 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Cheetam (US 5,668,633)-previously cited** in view of **Clark et al. (4,773,936)** and **Ikeda et al. (5,571,871)**.

As for **claim 22**, Cheetam discloses everything as above (see **claim 20**). He is silent concerning the particular type of molding process (column 5, lines 38-40). However, Clark in a pigment preparation teaches that plastics may be formed by the following: injection molding, extrusion, blow molding, or thermoforming (col. 10, lines 15-25) just as Ikeda teaches in a resin composition (col. 12, lines 60-67; col. 13, lines 1-5). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to use injection molding, blow molding, thermoforming, or extrusion to make the plastic chip by conventional forming practices.

14. **Claims 24 and 25** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Cheetam (US 5,668,633)-previously cited** in view of **McCarty (3,601,589)** and **Gerber (4,843,574)**.

As for **claims 24-25** Cheetam discloses everything as above (see **claim 20**). He is silent concerning the particular substrate and particular matched substrate but he discloses that the substrates may be plastic, paper, or cloth (column 2, lines 55-60). However, McCarty in a color matching system teaches the matching of automobile standards (col. 2, lines 1-10) and Gerber in a color determination system teaches the determination of car upholstery (col. 1, lines 14-20). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made that a matched substrate such as a dashboard or interior door panels or bumper guard and that a target substrate such as upholstery or an autobody were used for substrates made of plastic such as dashboard, door panels, bumper guards, and autobody are used in the matching process

Art Unit: 2877

such as dashboard, door panels, bumper guards, and autobody are used in the matching process as well as cloth substrates such as upholsteries and that automobile plastics and upholsteries are routinely used as standards in color matching/determination.

14. **Claim 26** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Falcoff (US 4,403,866)**-previously cited in view of **Mestha et al. (6,052,195)** and **Wyman et al. (4,813,00)** further in view of **Takada et al. (6,502,049)**.

As for **claim 26**, Falcoff in view of Mestha and Wyman discloses everything as above (see **claims 11 and 13**). They are silent concerning a host computer being in communication with said computer. However, Takada in a color matching system teaches a host computer in communication with a computer (col. 11, lines 35-40). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to have the computer in communication with a host computer in order to control the system off site/remotely..

Response to Arguments

15. Applicant's arguments, see Remarks (page 12), filed July 18, 2007, with respect to the previous rejection under 35 U.S.C. 101 have been fully considered and are persuasive. The previous rejection under 35 U.S.C 101 has been withdrawn.

Applicant's arguments with respect to **claims 1-19** have been considered but are moot in view of the new ground(s) of rejection. However, Examiner will address some of the arguments in regards to Falcoff. On page 13 in regards to Falcoff repeatedly producing test paint samples which are not recited in the claims, Examiner agrees. However, claim 1 cites 'said method comprising' which does not preclude producing test paint samples. In addition, as for the argument that 'Falcoff does not discloses or teach that an acceptability equation for a specified

Art Unit: 2877

end use is to be considered during the selection of an optimal viable combination from viable combinations,' Examiner disagrees. Falcoff teaches a specified end use, painting (col. 1, lines 44-45) and taking into consideration an acceptability equation, a tolerance value for a standard paint (col. 4, lines 65-67). Also in regards to Falcoff testing just wet paint, Examiner disagrees (Falcoff: col. 5, lines 45-47 and lines 60-65; col. 7, lines 9-15). In addition, 'target coating' does not preclude a wet sample.

In regards to the arguments on page 14 that Falcoff does not teach the particular combinations as described in the applicant's disclosure and the particular combinatorial selection criteria in the disclosure, it is noted that the features upon which applicant relies (i.e., the particular colorants on page 17, lines 15-17 and page 18, lines 1-6 of applicant's specification and the selection criteria on page 22, lines 3-13 and page 23, lines 1-25 of applicant's specification) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In regards to the argument that Falcoff does not teach 'determining concentrations of each said known colorant in each of said preliminary colorant combinations in accordance with color matching criteria wherein said concentration of each said known colorant is optimized for optimal match of color values of each of said preliminary colorant combinations, Examiner disagrees. See Falcoff: (col. 5, lines 1-35 and lines 55-67; with col. 6, lines 25-67; col. 7, lines 30-67).

As for Falcoff not disclosing steps v and vi of claim 1 Examiner disagrees (see col. 5, lines 1-35 and lines 55-67 with col. 6, lines 16-67 and col. 7, lines 1-20).

Art Unit: 2877

As for the arguments concerning claims 3 and 13 on page 15, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., generating a formula from color values of a target substrate such as the undamaged portion of an automotive body) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As for the arguments of claim 4 on page 15, 'target coating' does not preclude a paint sample.

As for the arguments for claims 7 and 10 on pages 15-16 'a coated target substrate such as that from an undamaged portion of an autobody' is not claimed. In addition, Falcoff discloses that a combination may comprise at least one colorant (Fig. 1: 8-12). And that a matched coating composition is produced (col. 7, lines 10-20). Again as for 'produced by the method of claim 1' even though product-by-process claims are limited by and defined by a process, determination of patentability is based on the product itself. The patentability of a product does not depend on its method of production. If the product in the product-by-process claim is the same as or obvious from a product of the prior art, the claim is unpatentable even though the prior product was made by a different process." *In re Thorpe*, 777 F. 2d 695,698, 227 USPQ 964,966 (Fed. Cir. 1985).

Applicant's arguments concerning Cheetham have been fully considered but they are not persuasive. In regards to the argument on page 17 that Cheetham teaches a trial and error step requiring visual inspection, Examiner would like to state that claim 20 does not contain the limitation 'not having a trial and error step requiring visual inspection.' 'Said method

Art Unit: 2877

comprising' does not preclude a trial and error step requiring visual inspection. In addition, as for Cheetham not disclosing that regulatory practices developed for a specified end use are to be considered, Examiner disagrees. In addition, as for not disclosing an acceptability equation for a specified end use to be considered during the selection of an optimal viable combination, Examiner disagrees. See Cheetham: col. 3, lines 3-15 with use of merit function as well as restrictions and guidelines; with specified end use as demonstrated by the material composition: col. 3, lines 24-30.

As for the arguments regarding Falcoff on page 18 and 19 of applicant's remarks that there is no reason to combine because Falcoff tests wet samples and the rest test dry samples, Examiner disagrees. Falcoff may test dry samples (col. 5, lines 55-65).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure: U.S. Patent 6,519,038 to Kritchman

U.S. Patent 6,539,325 to Numata et al.

U.S. Patent 6,577,971 to Aitken et al.

U.S. Patent 6,717,673 to Janssen et al.

U.S. Patent 6,914,613 to Marchand et al.

Fax/Telephone Numbers

If the applicant wishes to send a fax dealing with either a proposed amendment or a discussion with a phone interview, then the fax should:

1) Contain either a statement "DRAFT" or "PROPOSED AMENDMENT" on the fax cover sheet; and

Art Unit: 2877

2) Should be unsigned by the attorney or agent.

This will ensure that it will not be entered into the case and will be forwarded to the examiner as quickly as possible.

Papers related to the application may be submitted to Group 2800 by Fax transmission. Papers should be faxed to Group 2800 via the PTO Fax machine located in Crystal Plaza 4. The form of such papers must conform to the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The CP4 Fax Machine number is: (571) 273-8300

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gordon J. Stock whose telephone number is (571) 272-2431.

The examiner can normally be reached on Monday-Friday, 8:00 a.m. - 6:30 p.m.

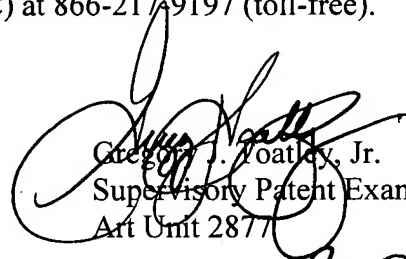
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr., can be reached at 571-272-2800 ext 77.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private Pair system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



gs

October 12, 2007


Gregory J. Toatley, Jr.
Supervisory Patent Examiner
Art Unit 2877
